

Justice Reinvestment Advisory Council

Meeting Minutes

July 14, 2023

The Justice Reinvestment Advisory Council met on July 14, 2023, at 10:00 a.m.-12:00 p.m. in Capital Center in Indianapolis. Justice Christopher Goff chaired the meeting.

1. Members present. The following members of the Council were present:

- Bernice Corley, executive director of Indiana Public Defender Council
- Christine Blessinger, designee for the commissioner of the Indiana Department of Correction
- Mary Kay Hudson, designee for chief administrative officer of Office of Judicial Administration
- Cody Wilson, proxy for State Budget Director
- Sheriff Randy Retter, president of Indiana Sheriffs' Association
- Adam McQueen, proxy for president of Probation Officers Professional Association of Indiana
- Judge Mark Spitzer, designee for president of Indiana Judges Association
- Chris Naylor, executive director of Indiana Prosecuting Attorneys Council
- Devon McDonald, executive director of Indiana Criminal Justice Institute
- Doug Huntsinger, designee for Governor
- Jay Chaudhary, executive director of Division of Mental Health and Addiction
- David Bottorff, executive director of Association of Indiana Counties
- Ashley Stevens, president of Indiana Association of Community Corrections Act Counties
- Andrew Cullen, proxy for chair of Indiana Public Defender Commission
- Rep. Mitch Gore, ranking minority member of House Courts and Criminal Code Committee
- Evan Robbins, proxy for ranking minority member of Senate Corrections and Criminal Law Committee

2. Members absent. The following members did not attend the meeting:

- Steve McCaffrey, president and CEO of Mental Health America of Indiana
- Zoe Frantz, president and CEO of Indiana Council of Community Mental Health Centers
- Rep. Wendy McNamara, chair of House Courts and Criminal Code Committee

- Sen. Aaron Freeman, chair of Senate Corrections and Criminal Law Committee
- 3. Guests.** The following attended the meeting as guests: Angie Estes, Liz Darlage, and Leah Williams from the Indiana Department of Correction; Denise Symdon and Richard Stroker from the Center for Effective Public Policy (remote); Steve Luce from the Indiana Sheriffs' Association; and Lindsey Villalpando from the Probation Officers Professional Association of Indiana.
- 4. Staff.** Jenny Bauer, April Dubree, Michelle Goodman, and Christopher Biehn attended as staff from the Office of Judicial Administration.
- 5. Approval of minutes.** The May 5, 2023, minutes were amended to correct the member report by the Division of Mental Health and Addiction. Mark Spitzer moved to approve the amended meeting minutes and Doug Huntsinger seconded. The minutes were approved unanimously.
- 6. Workgroup Reports.**
- a) **Racial Equity Workgroup.** Bernice Corley reported that the workgroup met the day prior and the research project is moving forward with Dr. Evan Lowder from George Mason University. Dr. Lowder and her team recently conducted a test run for data collection in Vigo County and continue to work with the three project counties. Steve Luce reported that the workgroup discussed Dr. Julian Rucker's research on racial inequality and may reach out to him to collaborate. The next workgroup meeting is scheduled for September 21.
- b) **Local JRAC Workgroup.** Justice Goff reported that Local JRACs were invited to submit a technical assistance application by June 30 for either intensive technical assistance, ad hoc technical assistance, or to utilize the online workspace. The workgroup met this morning to review the requests and to make recommendations to the full Council. Mary Kay Hudson reported that IOCS received seven applications for technical assistance and has two pending requests for assistance from 2022. The applications included 4 intensive requests, 2 ad hoc requests, and 1 online workspace request, with two additional ad hoc requests from the previous process. These applications were discussed in depth during the Local JRAC Workgroup meeting. The Local JRAC Workgroup proposed having the Center for Effective Public Policy reach out to all nine applicants to develop a plan to move forward with technical assistance. Rep. Gore moved to approve the Local JRAC Workgroup recommendation and Andrew Cullen seconded the motion. The motion

carried unanimously. Mary Kay Hudson welcomed council members to contact IOCS if they wish to participate in the initial outreach to the counties as well as any technical assistance activities moving forward. Ms. Hudson also noted that this initial technical assistance work will show other counties what kind of help is available. In addition, Michelle Goodman reported that all 2022 Local JRAC reports have been submitted. As a next step, the Local JRAC sub-workgroup will review the reports to provide a summary of key areas and information that will be published on the JRAC website.

- c) **JRAC Report Workgroup.** Michelle Goodman reported SEA 9 requires Local JRACs to submit quarterly data on electronic monitoring and as a part of this requirement the sub-committee has continued to work with IOCS and IOCT on the reporting instructions and questions from agencies. Since the last meeting, the sub-committee updated the supervising agency instructions to incorporate clarifications and tips for compiling the reports. The updated instructions with edits shown were provided to Council members before the meeting. Ms. Goodman requested Council approval of the revised instructions. On motion and second by Rep. Gore and Mark Spitzer, the Council unanimously approved the updated instructions. Ms. Goodman also reported that the sub-committee is checking with counties on data reported for false location report. The sub-committee will submit Q1 data to the Council soon and plans to send Q2 reporting links to counties. The Council members discussed criminal code-related reports mandated by the General Assembly and whether the reports are beneficial to legislative committees. Devon McDonald moved to create a new Workgroup to review legislatively mandated reports and Chris Blessinger seconded the motion. The motion carried unanimously. Devon McDonald will chair the workgroup and Rep. Gore suggested that the legislative members participate.

7. **EBDM Discussion and Planning.** Justice Goff led a discussion on planning to revisit the 2019 Evidence Based Decision Making State Team Strategic Plan. He reminded the Council members that the work of the Evidence Based Decision Making Initiative began in 2014/2015 and included the 2019 Strategic Plan which expanded the scope of JRAC's duties. To bring this work back to the forefront, Justice Goff stated that he would like to establish a plan to revisit these processes as a State JRAC. On motion and second by Andrew Cullen and Chris Blessinger, the Council unanimously approved having the Local JRAC Sub-group create an EBDM plan with CEPP. Mary Kay Hudson noted that once a plan is in place the Council will schedule longer meetings with structured conversations, like the model used by the EBDM State Team. She asked members to send unavailable

dates to April Dubree. Richard Stroker noted that CEPP supports revisiting the EBDM vision and goals, and is happy to assist.

- 8. Grants Update.** Justice Goff reported that DOC and the Indiana Office of Court Services collaborated over the last several weeks to review grant requests for community corrections, pretrial, and problem-solving courts. Liz Darlage distributed a grant summary and highlighted the following: the 2024 funding requests totaled \$87.4 million, with 86% of counties requesting additional funds compared to 2023, 8% requesting fewer funds, and 6% requesting the same amount. DOC recommends funding 204 programs for a total of \$72.5 million which includes 78 community corrections programs (\$58.6 million), 33 probation programs (\$3.6 million), 16 pretrial services programs (\$2 million), 51 court programs (\$6 million), 6 prosecutor diversion programs (\$459,000), and 20 jail treatment programs (\$1.6 million). Ms. Darlage reported that DOC also reviewed requests with IPAC and DMHA. In addition, DOC made funding cuts related to carry-over funds from previous years and contract non-compliance. The next step for DOC is to send award letters by the end of July. The Council members discussed other funding sources available to counties (such as DMHA and IRACS program funding for county jails). Chris Biehn reported that IOCS also recently reviewed requests for 2024 pretrial and collaborative justice grants funded by the Supreme Court. He distributed a grant summary and highlighted the following: IOCS will distribute \$10 million in funding—\$4 million for pretrial, and \$6 million for collaborative justice grants (\$3 million for veteran's treatment courts, \$1 million for family recovery courts, \$1.5 million for other models, and \$500,000 for commercial courts). Mary Kay Hudson noted that the timeline to award the grant funds would likely be in late summer. She also indicated there will be an opportunity this Fall for counties to apply for funding for programs that have not traditionally been funded by IOCS funds or IOCS would like to expand (i.e., mental health court). Mr. Biehn also noted that IOCS can often provide funding if DOC does not fund a county grant request.
- 9. 1006 Procedures.** Michelle Goodman reported that HEA 1006-2023 required the Office of Judicial Administration to develop a form for the new involuntary commitment process. IOCS worked with the Judicial Conference's Probate Committee to develop the initial form. The Court's chief administrative officer worked with stakeholders to get the form distributed and posted online by July 1. The Office of Judicial Administration is receiving feedback on the form and will work with IOCS and the Probate Committee to review. In addition to feedback on the form, some stakeholders have asked procedural questions. There was preliminary discussion about convening a group of stakeholders to work on procedural steps and guidance. This discussion item will be added to the agenda

for the September JRAC meeting. Justice Goff asked interested members to reach out to Michelle Goodman.

10. Member reports.

- a) Indiana Public Defender Commission.** Andrew Cullen reported that the Public Defender Commission conducted a survey on lawyer employment concentration in each county. He stated that the data shows significant shortages of lawyers in each county, which affects the number of public defenders. The Public Defender Commission is interested in working with JRAC on possible solutions.
- b) Association of Indiana Counties.** David Bottorff reported the following AIC activities: annual conference in French Lick in September; reviewing the HEA 1006 involuntary commitment procedures; and working with the State Department of Health to make sure counties are familiar with the new state support for local health departments (\$125 million).
- c) Indiana Judges Association.** Judge Mark Spitzer reported the IJA leadership changed on July 1—Heather Welch is the new president, Judge Spitzer is the new vice president, and Darrin Dolehanty is now the past president. Judge Spitzer also reported that the IJA annual meeting is in September at French Lick.
- d) Indiana Criminal Justice Institute.** Devon McDonald reported the following for CJI: the annual bail report is due to the General Assembly by August 1; thirty-six jails are online with the jail data transformation project and reporting data to CJI; data for the report on juveniles under adult jurisdiction shows an increase in violent crime and waivers; CJI received \$60 million for youth justice funding through the Youth Justice Oversight Committee; and CJI is starting work on the annual evaluation of Indiana's criminal code reform due December 1.
- e) Department of Correction.** Chris Blessinger reported that DOC hired Dr. Adrienne Bedford as the new chief medical officer.
- f) Governor's Office.** Doug Huntsinger reported that the governor's office awarded \$25 million in opioid settlement matching funds. The funds are a one-time funding opportunity to local units of government to support evidence-based prevention, treatment, recovery, harm reduction, behavioral health workforce, enforcement, jail treatment, recovery residences, and other services and initiatives across the state. Mr. Huntsinger also reported that the Indiana Commission to Combat Substance Use Disorder will meet August 3, 2023, at the Indiana State Library to approve the reporting requirements.
- g) Division of Mental Health and Addiction.** Jay Chaudhary reported that DHMA awarded \$60 million in Crisis Receiving and Stabilization Services grants to 15 community mental health centers across the state. These grants

will support the advancement of an integrated crisis response system that provides Hoosiers experiencing a mental health and/or substance use crisis someone to contact, someone to respond, and a safe place for help. Mr. Chaudhary also reported that there are four mobile crisis teams across the state.

- h) Supreme Court.** Justice Goff reminded the Council about the Indiana Summit for Rural Justice and Public Health Professionals and provided an update since JRAC agreed to be listed as a sponsor of the event. He stated that the Summit is designed to bring together county leaders, the bench, the bar, healthcare professionals, and all justice partners. The save-the-date was distributed in mid-June in the form of a letter from Justice Goff inviting stakeholders and announcing registration in mid-August. Justice Goff encouraged Council members to attend to represent their stakeholder groups and State JRAC.
- i) Indiana Sheriffs' Association.** Sheriff Randy Retter reported that ISA is working with the Indiana Department of Health on HEA 1006 involuntary commitment procedure. Steve Luce reported that the National Sheriffs' Association conference was in Grand Rapids in late June. One of the conference topics was cannabis regulations and the importance of having law enforcement involved in planning. The National Sheriffs Association and Department of Justice are working with Wells County regarding a national project to review the unique needs of small jails.
- j) Probation Officers Professional Association.** Adam McQueen reported that POPAI is hosting a joint summit with IACCAC on August 23.
- k) Indiana Association of Community Corrections Act Counties.** Ashley Stevens reported that IACCAC is planning its summer meeting and surveying members for topics to discuss at the meeting with POPAI.
- l) Indiana Prosecuting Attorneys Council.** Chris Naylor reported that prosecutor's offices are also facing attorney shortages, with a statewide shortage of 440 deputy prosecutors.
- m) State Budget Agency.** Cody Wilson reported that the new fiscal year started on July 1. He also reported that Grant Geiss is leaving SBA for a job in the non-profit sector.

11. Next Meeting Date. The next Council meeting is scheduled for September 22, 2023, at 1:00 p.m. in the South Tower of the Capital Center.

Respectfully submitted,

Jenny Bauer
Office of Court Services